

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

PFIZER INC.,)	
PHARMACIA & UPJOHN COMPANY, and)	
PFIZER HEALTH AB,)	
)	
Plaintiffs,)	
)	
v.)	
)	
IVAX PHARMACEUTICALS, INC.,)	
)	
Defendant.)	
_____)	C.A. No. 07-0174 (DMC) (MF)
IVAX PHARMACEUTICALS, INC. and)	
TEVA PHARMACEUTICALS USA, INC.,)	
)	
Counterclaim-Plaintiffs,)	
)	
v.)	
)	
PFIZER INC.,)	
PHARMACIA & UPJOHN COMPANY, and)	
PFIZER HEALTH AB,)	
)	
Counterclaim-Defendants.)	
_____)	

DECLARATION OF SHERYL KOVAL GARKO

I, SHERYL KOVAL GARKO, declare, under the penalty of perjury as follows:

1. I am an attorney at the law firm of Goodwin Procter LLP, and counsel for IVAX Pharmaceuticals, Inc. ("IVAX") and Teva Pharmaceuticals, USA, Inc. ("Teva"). I submit this declaration in support of Defendants' Memorandum of Law in Opposition to Pfizer's Motion for Attorney's Fees Pursuant to 35 U.S.C. § 285.

2. Attached hereto as Exhibit A is a true and accurate copy of a letter from Teva Pharmaceuticals USA to Pfizer, Inc., et. al. dated February 18, 2004.

3. Attached hereto as Exhibit B is a true and accurate copy of excerpts of the Expert Report of John P. Long, Ph.D. dated December 1, 2005.

4. Attached hereto as Exhibit C is a true and accurate copy of excerpts of the Expert Report of Gary D. Glick, Ph.D. dated December 2, 2005.

5. Attached hereto as Exhibit D is a true and accurate copy of a letter from Don Kennedy, Esq. to James Trainor, Esq. dated September 7, 2005.

6. Attached hereto as Exhibit E is a true and accurate copy of a letter from James Trainor, Esq. to Therese Dillingham, Esq. dated September 30, 2005.

7. Attached hereto as Exhibit F is a true and accurate copy of a letter from Michael Patunas, Esq. to Hon. Mark Falk, U.S.M.J. dated March 20, 2006.

8. Attached hereto as Exhibit G is a true and accurate copy of a letter from Don Kennedy, Esq. to Adam Gahtan, Esq. dated January 10, 2007.

9. Attached hereto as Exhibit H is a true and accurate copy of excerpts of the September 23, 2009 Trial Transcript.

10. Attached hereto as Exhibit I is a true and accurate copy of a letter from Sheila F. McShane, Esq. to Hon. Mark Falk, U.S.M.J. dated March 12, 2007.

11. Attached hereto as Exhibit J is a true and accurate copy of a letter from Michael Patunas, Esq. to Hon. Mark Falk, U.S.M.J. dated March 22, 2007.

12. Attached hereto as Exhibit K is a true and accurate copy of a letter from Adam Gahtan, Esq. to Terese Dillingham, Esq. dated April 26, 2007.

13. Attached hereto as Exhibit L is a true and accurate copy of a letter from Elaine Hermann Blais, Esq. to James Trainor, Esq. dated July 31, 2007.

14. Attached hereto as Exhibit M is a true and accurate copy of Defendant IVAX Pharmaceuticals, Inc.'s Supplemental Objections and Responses to Plaintiffs' First Set of Interrogatories to IVAX (Nos. 13 and 14) dated September 27, 2007.

15. Attached hereto as Exhibit N is a true and accurate copy of Defendant Teva Pharmaceuticals USA, Inc.'s Supplemental Objections and Responses to Plaintiffs' First Set of Interrogatories to Teva (No. 4) dated September 27, 2007.

16. Attached hereto as Exhibit O is a true and accurate copy of excerpts of the deposition of Monte Browder dated August 10, 2007.

17. Attached hereto as Exhibit P is a true and accurate copy of excerpts of the deposition of Marc Goshko dated August 24, 2007.

18. Attached hereto as Exhibit Q is a true and accurate copy of excerpts of the deposition of Lee Banks dated September 7, 2007.

19. Attached hereto as Exhibit R is a true and accurate copy of excerpts of the deposition of Deborah Jaskot dated September 13, 2007.

20. Attached hereto as Exhibit S is a true and accurate copy of excerpts of the deposition of Karen Feldtmose dated December 6, 2007.

21. Attached hereto as Exhibit T is a true and accurate copy of excerpts of the November 9, 2007 Hearing Transcript.

Dated: April 21, 2010

/s/ Sheryl Koval Garko
Sheryl Koval Garko

CERTIFICATE OF SERVICE

The undersigned hereby certifies that true copies of the foregoing Declaration of Sheryl Koval Garko with supporting papers were caused to be served on April 21, 2010, upon the following via ECF and/or email:

David E. De Lorenzi, Esq.
Sheila McShane, Esq.
GIBBONS P.C.
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/s/ Michael E. Patunas